IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CASE NO. 3:20-CV-411-RJC-DCK

MICHAEL ALLEN,)	
Plaintiff,)	
v.) ORDER	<u>2</u>
USA HOIST COMPANY, INC., GILBANE BUILDING COMPANY, CAROLINA)	
ELEVATOR SERVICE, INC., and GILBANE, INC.,)	
Defendant.)))	

THIS MATTER IS BEFORE THE COURT regarding the "State Of North Carolina Department Of Labor's Motion For Reconsideration, Response To Plaintiff's Motion To Produce, and For Entry Of A Protective Order" (Document No. 41) filed May 28, 2021. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate.

The undersigned's initial review of the instant motion suggests that there may be merit to the North Carolina Department of Labor's position, and that the parties may have failed to make sufficient attempts to resolve this dispute and/or to convey to the Court certain statutory limitations that may restrict the North Carolina Department of Labor's production here.

Under these circumstances, the undersigned finds that the North Carolina Department of Labor's production should be <u>stayed</u>, and that the briefing on the instant motion should be expedited.

IT IS, THEREFORE, ORDERED that Plaintiff and Defendants shall file a response to the "State Of North Carolina Department Of Labor's Motion For Reconsideration, Response To Plaintiff's Motion To Produce, and For Entry Of A Protective Order" (Document No. 41) on or

before June 7, 2021; and the movant, North Carolina Department of Labor shall file a reply brief

in support of its motion on or before June 14, 2021.

IT IS FURTHER ORDERED that counsel for the parties and the North Carolina

Department of Labor shall confer via telephone conference, or other virtual means, on or before

June 4, 2021, in a good faith attempt to reach a resolution of the pending production issue that is

acceptable to all sides. The parties' response brief(s) shall describe the parties' attempts to resolve

this issue and report on the result of those attempts.

IT IS FURTHER ORDERED that the Court's previous Order (Document No. 38) is

STAYED. The North Carolina Department of Labor is not required produce its records related to

this case until the instant "...Motion For Reconsideration..." is resolved.

SO ORDERED.

Signed: June 1, 2021

David C. Keesler

United States Magistrate Judge